

Message Text

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ACTION EB-08

INFO OCT-01 EA-10 ISO-00 CAB-02 CIAE-00 COME-00
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FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC 9433
INFO AMEMBASSY BANGKOK
AMCONSUL HONG KONG
CINCPAC

C O N F I D E N T I A L SECTION 1 OF 2 VIENTIANE 0784

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: EAIR, LA, VN

SUBJECT: CIVIAR: AMBER ONE

REF: A) STATE 168523; B) VIENTIANE 749; C) VIENTIANE 691

BEGIN SUMMARY: PAN AM VICE PRESIDENT JOHN KRIMSKY HELD BRIEF DISCUSSIONS WITH LAO AVIATION AUTHORITIES IN VIENTIANE JULY 20 FOLLOWING A ROUND OF AMBER ONE NEGOTIATIONS IN HANOI. PAN AM HAS AGREED TO PAY THE SRV MORE THAN THE STANDARD \$250 PER FLIGHT FOR THE USE OF AMBER ONE. KRIMSKY HAS ASKED EMBASSY VIENTIANE TO TRANSMIT TO THE LAO GOVERNMENT A PAN AM OFFER TO DONATE 12 RADIOS FOR CIVIL AVIATION USE IN LIEU OF FIVE MONTHS OVERFLIGHT PAYMENTS. REQUEST DEPT. GUIDANCE CONCERNING PAN AM'S REQUEST. END SUMMARY.

1. PAN AMERICAN VICE PRESIDENT JOHN KRIMSKY STOPPED OVER IN VIENTIANE JULY 19-20 FOLLOWING AMBER ONE NEGOTIATIONS IN HANOI. HE CALLED ON THE CHARGE PRIOR TO DISCUSSIONS WITH LAO AVIATION OFFICIALS JULY 20.

2. TOUCHING BRIEFLY ON HIS VISIT TO VIETNAM, KRIMSKY SAID THAT HE
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HAD RETURNED TO HANOI BECAUSE IT APPEARED THAT THE AGREEMENT NEGOTIATED IN APRIL CALLING FOR \$250,000 IN ADVANCE OVERFLIGHT PAYMENTS MIGHT NOT BE CLEARED BY THE USG. AS A RESULT, HE HAD NOW REACHED A PRELIMINARY AGREEMENT WITH THE VIETNAMESE UNDER WHICH PAN AM WOULD PAY BY THE FLIGHT, BUT AT A HIGHER RATE THAN THAT CHARGED OTHER AIRLINES. HE ACKNOWLEDGED THAT THIS WAS DISCRIMINATORY, BUT SAID THAT PAN AM COULD JUSTIFY THIS BECAUSE WITHOUT US-SRV

DIPLOMATIC RELATIONS, THE SRV MIGHT FACE UNUSUAL COSTS OR PROBLEMS IN THE EVENT OF A PAN AM AVIATION EMERGENCY IN VIETNAM. HE ADDED THAT THE OVERRIDING FACTOR WAS THAT LACK OF ACCESS TO AMBER ONE COST PAN AM \$20,000 A DAY.

3. AS FAR AS THE NEGOTIATIONS WITH THE LPDR WERE CONCERNED, KRIMSKY SAID THAT HE HAD BEEN INFORMED BY THE DEPARTMENT THAT THE LAO STILL WANTED PAN AM TO DONATE RADIOS AS A CONDITION FOR THE USE OF AMBER ONE (REF B). HOWEVER, HE SAID THAT HE DID NOT BELIEVE THIS WOULD STAND IN THE WAY OF AN AGREEMENT. IN FACT, DURING HIS APRIL VISIT TO VIENTIANE HE HAD OFFERED \$50,000 IN ADVANCE OVERFLIGHT PAYMENTS WITH WHICH THE LAO COULD PURCHASE THE RADIOS THEMSELVES (HE ESTIMATES THAT THE 12 SINGLE SIDE-BAND RADIOS WHICH THE LAO DEMAND WOULD COST ABOUT \$70,000). KRIMSKY SAID THAT HE WAS NOW PREPARED TO GIVE THE LAO THE RADIOS, BUT HIS OPENING NEGOTIATING POSITION WOULD BE TO HAVE THEM CONSIDERED AS ADVANCE PAYMENT FOR THE USE OF AMBER ONE.

4. BEFORE DEPARTING FROM VIENTIANE, KRIMSKY TELEPHONED EMBOFF TO REPORT THAT HE HAD BEEN UNABLE TO MEET WITH DIRECTOR OF LAO CIVIL AVIATION PHOUNE KHAMMOUNEHEUANG, ALTHOUGH THE VIETNAMESE HAD INFORMED THE LAO BY TELEGRAM THAT HE WAS COMING TO VIENTIANE. IN ANY EVENT, KRIMSKY SAID THAT HE HAD HAD AN INCONCLUSIVE CONVERSATION WITH ONE OF PHOUNE'S SUBORDINATES FROM WHICH HE HAD CONCLUDED THAT THE LAO WANTED PAN AM TO DEAL WITH THEM THROUGH THE AMERICAN EMBASSY. CONSEQUENTLY KRIMSKY HAS GIVEN US A LETTER REQUESTING

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THAT THE EMBASSY TRANSMIT PAN AM'S PROPOSAL TO THE LAO GOVERNMENT.

5. THE FOLLOWING IS THE TEXT OF KRIMSKY'S LETTER:

"DEAR MR. ROBERTS:

"THIS COMMUNICATION INVOLVES PAN AM'S APPLICATION TO THE DIRECTOR GENERAL FOR CIVIL AVIATION FOR THE LAO PEOPLE'S DEMOCRATIC REPUBLIC FOR USE OF THE ATS AIR ROUTE AMBER ONE.

"DURING A PREVIOUS MEETING WITH THE DIRECTOR GENERAL HE INDICATED APPROVAL OF PAN AM'S APPLICATION WAS STILL AWAITING ACTION BY AN ADDITIONAL AGENCY OF THE LAO GOVERNMENT. THE DIRECTOR GENERAL ALSO INDICATED THAT HE REQUIRED CERTAIN TECHNICAL ASSISTANCE FROM PAN AM IN THE FORM OF AVIATION RELATED COMMUNICATIONS EQUIPMENT.

"THIS LETTER WILL SERVE AS PAN AM'S INTENT TO PROVIDE THAT ASSISTANCE AND TO REQUEST YOU TO TRANSMIT PAN AM'S INTENT TO THE APPROPRIATE LAO GOVERNMENT AGENCY. IN EXCHANGE FOR THE TECHNICAL ASSISTANCE, WE STILL LOOK FORWARD TO EARLY AND FAVORABLE RESPONSE TO OUR APPLICATION FOR OVERFLIGHT AUTHORITY.

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TO SECSTATE WASHDC 9434

INFO AMEMBASSY BANGKOK

AMCONSUL HONG KONG

CINCPAC

C O N F I D E N T I A L SECTION 2 OF 2 VIENTIANE 0784

CINCPAC FOR POLAD

"WE ARE PREPARED, SUBJECT TO UNITED STATES GOVERNMENT APPROVAL, TO DELIVER TO LAO AVIATION AT BANGKOK INTERNATIONAL AIRPORT, TWELVE HIGH FREQUENCY, SINGLE SIDE BAND, RADIO TELEPHONE TRANS-CEIVERS COMPLETE WITH ANTENNAS AND POWER SUPPLY TO PROVIDE TELEPHONE COMMUNICATIONS BETWEEN VIENTIANE AIR TRAFFIC CONTROL CENTER AND A NUMBER OF DOMESTIC AIRPORTS AND REMOTE RADIO STATIONS, INCLUDING THE VHF STATION USED FOR THE CONTROL OF AIR TRAFFIC ON ATS AIR ROUTE AMBER ONE. IN EXCHANGE FOR THIS EQUIPMENT, WE EXPECT THE DIRECTOR GENERAL TO GRANT PAN AM A WAIVER OF ANY OVERFLIGHT CHARGES FOR A PERIOD OF FIVE MONTHS STARTING AFTER PAN AM RECEIVES PERMISSION FOR USE OF AMBER ONE AND BEGINS OPERATIONS.

"AT THE END OF THE FIRST FIVE MONTHS, PAN AM WOULD THEN PAY THE AGREED OVERFLIGHT CHARGE AS REQUIRED BY THE NOTAM ISSUED BY THE DIRECTOR GENERAL OF CIVIL AVIATION AND WOULD OPERATE USING AMBER ONE UNDER THE TERMS AND CONDITIONS OF THE ICAO AGREEMENT WHICH PROVIDES USE WITHOUT DISCRIMINATION.

"WHEN I RECEIVE YOUR ADVICE THAT THE LAO GOVERNMENT HAS AGREED TO THE PROVISIONS OF THIS LETTER, I WILL AUTHORIZE THE IMMEDIATE SHIPMENT OF THE COMMUNICATIONS EQUIPMENT."

6. WE ARE PREPARED TO PASS KRIMSHK'S OFFER TO THE LAO GOVERNMENT.

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HOWEVER, DURING OUR DISCUSSIONS AT THE FOREIGN MINISTRY AND THE DEPARTMENT OF CIVIL AVIATION, THE LAO STATED THAT PAN AM SHOULD COMMUNICATE DIRECTLY WITH CIVIL AVIATION AUTHORITIES. WE SEE NO

REASON WHY THE OFFER SHOULD NOT BE SENT DIRECTLY FROM PAN AM TO THE LAO, ESPECIALLY SINCE WE UNDERSTAND THAT ORIGINALLY, AT ANY RATE, PAN AM HAD BEEN ANXIOUS TO EMPHASIZE ITS PRIVATE, NON-GOVERNMENTAL CHARACTER.

7. KRIMSKY SAID THAT HE WOULD BE IN WASHINGTON IN ABOUT A WEEK AND PLANNED TO DISCUSS THE SITUATION FULLY WITH THE DEPARTMENT. WE SUGGEST THAT THE DEPARTMENT MIGHT EXPLORE WITH HIM THE POSSIBILITY OF A DIRECT OFFER BY PAN AM TO DIRECTOR GENERAL PHOUNE AT THIS TIME.

8. ACTION REQUESTED: THE DEPARTMENT'S INSTRUCTIONS CONCERNING EMBASSY TRANSMISSION OF PAN AMERICAN'S OFFER TO THE LAO GOVERNMENT.

ROBERTS

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